

+ + + + +

TREAD ACT
EWR DATA SUBMISSION
INDUSTRY DAY

+ + + + +

TUESDAY,
SEPTEMBER 24, 2002

+ + + + +

The meeting commenced at 9:30 a.m. in Room 2230, in the Nassif Building, 400 Seventh Street, S.W., Washington, D.C., Kenneth Weinstein, Office of Enforcement Associate Administrator, presiding.

PRESENT:

KENNETH WEINSTEIN	Associate Administrator, Enforcement
ANNETTE SANDBERG	Deputy Administrator, NHTSA
TERRY ANDERSON	Office of Enforcement/Resource Management
BOB BERK	Volpe National Transportation Systems Center
JOE ROLLINS	CSC
JON WHITE	Defects Assessment Division Chief

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

Ken Weinstein.....	3
Bob Berk.....	9
Jim Rollins.....	15

P-R-O-C-E-E-D-I-N-G-S

10:05 a.m.

MR. WEINSTEIN: It's about five past ten. We'll start now. Hopefully, there won't be many stragglers. Welcome.

My name is Ken Weinstein. I'm the Associate Administrator for Enforcement for NHTSA here. I'd like to first introduce the other folks who are sitting up here on the dais with me.

First, Annette Sandberg, Deputy Administrator at NHTSA is on my left. Annette unfortunately has to leave before we'll be done for another meeting but she wanted to be here for at least part of it.

To my immediate right is Jon White. Jon is the Division Chief of the Defects Assessment Division. Some of you know them as screeners. His division will be primarily using the early warning information that a lot of other people will be looking at as well.

Next to Jon is Terry Anderson. Terry is the head of the Resource Management Staff within the Enforcement Office and he's been intimately involved in the development of the computer systems and information management efforts that we've been involved in to handle this early warning information.

Next to him is Bob Berk from the Volpe National Transportation System Center. Bob, I don't know exactly what your title is. He's a jack of all trades. He's going to be mostly conducting the briefing here in terms of what Volpe has

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 been doing in terms of developing our information system for us.

2 And next to him is Joe Rollins who is with CSC,
3 correct, was a subcontractor or contractor with Volpe and that
4 firm has been doing I guess the lion's share of the hands on
5 work.

6 Thank you all for coming. It's a large turnout. I
7 hope we have enough chairs. If not, we're trying to get some
8 more but I think we have most people sitting down now. We're
9 here, of course, to discuss the steps that manufacturers will be
10 taking and NHTSA will be taking to implement the early warning
11 reporting rule.

12 As you all know in November of 2000, Congress
13 enacted the TREAD Act and of course there are a lot of important
14 provisions to that Act but one of the most important ones was to
15 establish and authorize and direct the agency to promulgate rules
16 that would require manufacturers of motor vehicles and motor
17 vehicle equipment to submit a wide variety of information to
18 NHTSA so that the agency could promptly identify alleged safety
19 defects and take appropriate steps to assure that they are
20 corrected in a timely fashion.

21 In conformity with very rigorous statutory
22 deadlines, we issued an advanced notice of proposed rulemaking
23 back in January of 2001. We issued our notice of proposed
24 rulemaking, which made a number of specific proposals in December
25 of 2001, and then we issued the final rule in a timely fashion in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 early July of this year.

2 I want to thank everybody. I'm sure many of the
3 folks in this room did participate in that rulemaking process and
4 I want to thank all of those who did. It was very helpful to
5 hear from both the regulated parties and other interest groups in
6 terms of the best way to go about doing things. Without the
7 participation of the public, we would not have been able to come
8 up with an effective and efficient process of regulation that
9 will hopefully really work very well as we move on into
10 implementation.

11 In order to handle all this new information that
12 will be coming in and also of course to upgrade the Office of
13 Defects Investigations existing information systems which were
14 unfortunately very outdated in this technological world. NHTSA
15 made a decision back in 2000 or 2001 to develop a new data
16 storage and data management system.

17 We call it Artemis, and we contracted with the
18 Volpe National Transportation Systems Center to actually develop
19 and implement that system for us and Volpe went out, as I say,
20 and contracted with CSC to do a lot of the actual work and that
21 process has been going on very intensively and we're in sort of
22 the home stretch and of course it's a new system for us. It will
23 be a new system for the industry and the public.

24 Part of it will be, of course, there will be a lot
25 of public access not to confidential information but we are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 upgrading our Internet website to enable the public to have more
2 access to public information that ODI handles and processes.

3 In any event, we received several requests from
4 members of the industry and others to have a meeting just like
5 this at which questions could be asked and answered regarding the
6 ways that data would come in from the industry and be accepted by
7 us and all those technological issues that are, as I say, will be
8 new both to us and to the industry.

9 We've had a couple of informal meetings during the
10 rulemaking process that have been docketed but this is the public
11 meeting that we promised, and Bob Berk of Volpe will describe the
12 Artemis system and basically answer most of the questions with
13 the assistance of other Volpe and CSC personnel and as
14 appropriate ODI folks that are both up here and around the room.

15 Before I turn it over to Bob, I'd just like a couple of
16 housekeeping things. First of all, there's been a
17 sign-up sheet and I know most of you signed it. If you haven't,
18 please do so before you leave. It's out near the door. We also
19 have some up here on your way out.

20 A transcript will be made of this proceeding. It
21 will be available in the docket for the early morning reporting
22 rule and again, after Bob is done, if you have any questions,
23 please there's only one microphone. To be honest, we didn't
24 expect quite this many folks, but if you could make your way to
25 the microphone and before you ask your question, if you identify

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 yourself and your affiliation just so we have that for the
2 record.

3 Finally, on the subject of questions as I said
4 before the purpose of this meeting was really to deal with
5 technical issues of computers talking to computers and people
6 programming computers so that they can talk to computers. On
7 Friday, we received from Ford Motor Company a list of questions
8 that asked some questions I'll call technical related questions
9 but also raised a number of questions asking about some
10 substantive issues in the early warning rule and that was not, of
11 course, the intent of this meeting.

12 Copies of those have been circulated around. If
13 you don't have them, try to share with your neighbor. As I said,
14 we didn't expect this much of a turnout. To the extent we can
15 answer those substantive questions, we will, but I want to
16 caution everybody that anything we say up here on those are
17 informal, and are not binding.

18 What we intend to do is, in the context of the
19 pending reconsideration petitions for the early warning rule,
20 we're going to be issuing a Federal Register notice dealing with
21 those, and in that notice, we will answer appropriate questions,
22 both those from Ford and any others that may arise and those, of
23 course, will be the official NHTSA positions.

24 And so again, to the extent we say something here,
25 I'll try to indicate if we really think it's very tentative, but

1 even if I don't say that, it should not be construed as a final
2 NHTSA interpretation on any of those matters. With that, I'll
3 turn the proceeding over to Bob for a description of what we've
4 been doing with Artemis and how it relates to early warning.

5 MR. BERK: Thank you, Ken. Can everybody hear me.
6 Good. Before I start, I'd just like to introduce some of the
7 folks from the Volpe Center team that are here today. We brought
8 them up here because we thought this was a great opportunity. If
9 you have questions of a technical nature, I will probably be
10 directing, like a good program manager, I will deflect those
11 questions to those people because they are the real experts in
12 their specific areas of expertise.

13 Let me start off over here with Alan Caprelli. If
14 you could just stand up when I introduce you. Al Caprelli is my
15 boss. He's the chief of the computer center at the Volpe Center.
16 Ed Howder, he is the department manager with CSC and, as Ken
17 said, they've done a considerable amount of work in the area of
18 information systems development.

19 Bob Mallion, he's a lead security analyst,
20 information security analyst with the Volpe team. If you have a
21 question around information security, I'll probably be asking Bob
22 to answer that question. Roy Lucas who is response for network
23 engineering at the center, if your question is a network
24 question, he's the guy I'm going to go to, and finally Mike
25 Cucchi who is the lead assistance administrator at the center and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 he'll be answering those kinds of questions.

2 As Ken said, I'm with the Volpe Center. For those
3 of you who are unfamiliar with the center, just a quick one-
4 minute description. We're part of the Department of
5 Transportation. We are a technology deployment organization,
6 which means that basically we deploy technology, information
7 technology and various other technologies to the department.
8 We're located in Cambridge, Massachusetts. We have about 500
9 employees, federal employees, at the center and we report to the
10 Research and Special Programs Administration here in Washington.

11 I have a relatively short presentation actually and
12 we felt that there's probably going to be a lot of questions and
13 for us to try to predict what kinds of questions were going to
14 come would be ridiculous. So, this is a relatively high level
15 overview but we'll provide you at least with that kind of a
16 perspective on the information system which we're developing for
17 the NHTSA ODI organization.

18 I'll be covering the first three of the bullets.
19 Joe Wallace will cover the fourth one who's sitting next to me
20 who's the lead developer. The network topology will open it up,
21 I think, to any kind of an open discussion.

22 From an introduction perspective, it's no surprise
23 to you that there are a couple of real drivers for this effort,
24 one of which is the early warning provisions of the TREAD Act.
25 NHTSA ODI recognized very early on that there would be a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 significant increase in the volume and complexity of the data
2 that they would be receiving, starting roughly in the July,
3 August time frame of this year, and their user base within NHTSA
4 was going to expand because of the number of folks that would be
5 using an information system to help them do their work.

6 And so, that second sub-bullet actually, believe it
7 or not, is the vision for this effort that came out of a
8 requirements workshop we held a little over a year ago. You can
9 read it there. It's to more efficiently, use, and disseminate
10 motor vehicle associated equipment and safety information so that
11 the ODI staff could detect defects earlier in the process.

12 And the conclusion of those two sub-bullets was the
13 need for a new information system which, as Ken pointed out, is
14 called Artemis. It is not an acronym. It is its own name and if
15 we are successful, and I think we will be, we will achieve the
16 two objectives that are put at the very top of that particular
17 slide.

18 A very high level view of Artemis, what is it?
19 It's a dedicated system for NHTSA ODI. It does not share any
20 resources with any other information system up at the Volpe
21 Center. It is secure. From your perspective, we understand that
22 for those submitting data that's a lot of very sensitive data, so
23 it is a very secure system, and if you have questions around
24 that, we'll be happy to answer those.

25 It's a very large-scale system. Its purpose really

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 is to collect data and to fuse it into a single repository for
2 use by the NHTSA ODI staffers. It will efficiently disseminate
3 information within the ODI organization so that they can do their
4 work and it also will provide a website for the public to get at
5 appropriate data that can be disseminated through that particular
6 site.

7 We realized fairly early on that the first pieces
8 of data from folks submitting information would be coming in the
9 July, August time frame of 2003, and therefore collectively we
10 came up with a decision to roll out Artemis, which is the
11 information system again, in two phases, the first of which will
12 be rolled out within the next few weeks whereas, as Ken pointed
13 out, we really are in the home stretch of this effort.

14 That is what we call the non-EWR portion of Artemis
15 and it provides the ODI staffers the functionality that they need
16 in order to replace and enhance the existing information systems
17 they currently utilize in house. And secondly, and more
18 important I think from your perspective is that it provides the
19 IT architecture, the information technology architecture which
20 will support the data collection from those submitting data on
21 EWR.

22 In the spring of 2003, we intend to have the EWR
23 portion of Artemis up and running. That's Phase 2 and that will
24 provide all the functionality that will be required in order for
25 Artemis to accept data under the EWR provisions, and there are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 some important parts of that from your perspectives.

2 One is that it will include data receipt and
3 confirmation that we, in fact, have gotten your data. There will
4 be checks for integrity and it will provide for loading of your
5 data into the Artemis repository which, as I said, is a very
6 secure repository located at the Volpe Center in Cambridge. That
7 information will then be available for use by the ODI staffers in
8 their work.

9 This is my pitch really to you folks in order to
10 make Phase 2 a success, in order to enhance its potential for
11 success, I think we'll be successful, we really would solicit
12 volunteer manufacturers to help us with test submissions in the
13 November, December, and January time frame, will be working with
14 Jon White to make sure that that happens from the perspective of
15 getting a good cross sample of manufacturers, large, small, all
16 of the different constituencies that ODI works with, and we'll be
17 using the published templates I think you've already seen in the
18 Register.

19 ODI will be the driver for that effort because they
20 are much more familiar with their constituency, so the lead
21 person on that is Jon White. We'll be taking our cues from Jon
22 in terms of participation, and the details of that we'll work out
23 with the specific manufacturers that have agreed to work with us
24 to make sure that test submissions do get input correctly into
25 Artemis.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 It's a bit of a challenge. We recognize that, but
2 I think that the risks in doing that in the July and August time
3 frame will be diminished significantly if, in fact, we're able to
4 show with test submissions that data can go into Artemis, that it
5 is secure, and get a receipt that in fact we've received your
6 data and that it all goes well from an IT perspective.

7 I realize that's probably very difficult for any of
8 you to read. I can hardly read it but I think you folks have
9 that in the handout. What I'd like to do is turn the mike over
10 to Joe Rollins. Joe is the lead developer and basically this
11 diagram is your perspective of Artemis, so this is essentially
12 the Phase 2, the EWR perspective of Artemis which will be done in
13 the November through next March, April, May time frame. Joe, do
14 you want to walk through it?

15 MR. ROLLINS: Yes.

16 MR. BERK: I don't know if you want to stand up or
17 not.

18 MR. ROLLINS: I'll stand up and point. Basically,
19 we're looking at accepting data into Artemis in three different
20 ways and the one that we're describing here is from the larger
21 manufacturers that are submitting the data. We wanted to □ I
22 don't know if you're all familiar but on the public website there
23 are seven different template files out there to report all your
24 data. There are tires, child seats, light vehicles, motorcycles,
25 busses, the whole deal, the seven reporting templates to support

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that data collection process.

2 There's also a document out there that tells you
3 some of the initial constraints that we're placing on those
4 spreadsheets. They're specially designed templates to make data
5 extraction for us easier and the data integrity, syntax check,
6 and things of that nature.

7 So, if you were a large manufacturer, you can't
8 really hear it here but let's say Manufacturer 1 and Manufacturer
9 2, you could submit this data in the form of a spreadsheet
10 through the web into Volpe into our T1. We have three T1 lines
11 set up and a hard backup okay to get this data relatively
12 quickly.

13 Again, before you can submit the data we're going
14 to issue to you a user name and password for each manufacturer.
15 We'll also issue you what we call an EWR ID which is your unique
16 number for transmission purposes, and if you look at the
17 documentation provided on the public website, you'll see that you
18 have to embed some of that information in the file name.

19 When you transmit the file name by looking at your
20 EWR ID, even if we can't open the file and can't read it, we know
21 who you are so at least we can get to you and say hey, you know,
22 your file is corrupt and things of that nature.

23 So, here's Manufacturer 1 over here. Here's
24 Manufacturer 2 over here, the Internet cloud, the T1 connection
25 through Volpe Center. This is just a router, distribution switch

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 and then our security in here in the firewall portion.

2 Out here, these are the public web servers, the new
3 public web servers and they'll be linked to the NHTSA website.
4 Over here is the secure FTP server and that will be taking your
5 encrypted information when you transfer it and storing it here.
6 And each manufacturer here will look, you'll have your own
7 directory structure, your own user name and password, so Ford
8 can't see Nissan. Nissan can't see Honda, et cetera.

9 The information is stored there just at a
10 transition time. It doesn't stay there very long. The
11 information is then □ this area down here now is the Internet
12 portion of it. This is the internal workings of Artemis. This
13 is also an isolated segment so that it really can't be accessed
14 from the outside world. The data is moved from the SFTP server
15 at very frequent intervals. Your data isn't going to stay out
16 there for a very long period of time. Again, it's encrypted
17 during the move. It's going to get copied into one of the
18 processing servers here and the algorithms now will start
19 processing that data.

20 The first thing we're going to do with the data is
21 make sure we can read your EWR ID, make sure that the file name
22 is in the right syntax and format so that we can identify you.
23 We'll then process the file syntactically. If you've looked at
24 these files, you'll see each one of the files has multiple tabs
25 or multiple worksheets within them. They're the workbook

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 contacts. Each one of those worksheets will address your
2 production quantity, your deaths and injuries, your warranty
3 claims, complaints, et cetera, et cetera, et cetera.

4 We'll open that file and we'll extract the
5 information that's in it. It's extracted in XML. I don't know
6 if there are any techies here or not but I mean it's extracted in
7 XML file. That's all run through a validation document type
8 definition that's been provided for it. We do any syntax errors.

9
10 The next step is moving the database server. Then
11 we'll do some insertions and we'll start looking at your previous
12 submissions if we have them and doing some algorithms on that to
13 make sure that this data actually looks good. Once it passes
14 those two phases, then you will be notified. One of the
15 requirement is that three days before EWR and your staff is
16 submitting this data that you have to apply for EWR user name,
17 password, and get your EWR ID.

18 As part of that process, you'll have to identify to
19 ODI two contacts, a primary contact and a secondary contact and
20 those are the people who we will go to if there's some problem.
21 So, if we have problems and we can't read the content data file or
22 we have other problems, we will know exactly who to go to,
23 something like mapping your file name.

24 Am I going too fast? Okay. Basically what we
25 intended to do early on was we had some multimedia servers here

1 where we were going to also open up the avenue of floppy disk
2 submissions and DVDs and ZIP drives and stuff like that, but after
3 9/11 and anthrax scares and things like that, evidently □ I don't
4 know if this was still true Ken down here but I mean they
5 eradicated all the incoming media and documents and everything
6 else. A lot of the paper documents turned yellow cracked and all
7 the floppy disks don't work anymore, things of that nature. Is
8 that still the process that they're doing down here?

9 MR. WEINSTEIN: I believe so.

10 MR. ROLLINS: Okay, so in the context of that, we
11 sort of were moving out this electronic magnetic media type thing.
12 In it's place though, you'll say hey I'm just a small mom and pop
13 shop. We provided two other submission documents for you. Now
14 this is the real secure method, okay. Also you could take the
15 data and you could submit those spreadsheets assuming they're
16 under like five megabytes as part of an e-mail attachment and I
17 believe we already have an ODI e-mail address out there that you
18 would submit to.

19 The third way is that you only have a few attempts
20 if you're less than 500 or if you're a miscellaneous equipment
21 manufacturer, what have you. We are going to provide on the
22 public website, only it will be an SSL type connection, a secure
23 socket layer though, the whole transmission portion of it while
24 you're filling out this form online basically would be encrypted.

25 So, there no way, you know, that people are going

1 to be able to see the data that you're entering over the line.

2 And again, that □

3 MR. WEINSTEIN: Just for clarity, that would just be
4 for reports of deaths or injuries which is what the smaller
5 manufacturers would be doing. It wouldn't be the large data
6 submissions.

7 MR. ROLLINS: Right. So that's the third way. As
8 Bob had mentioned earlier, down here we have a database server for
9 the public website, a database server for the Intranet. These are
10 all behind the firewall and they're on an isolated security
11 segment and we have application servers.

12 Artemis itself supports you know regular data
13 collection through the complaints, hotline operators, the IBOQ
14 forms on the web, and consumer letters against are complaints. It
15 supports workflow so that various letters that you get, your IR
16 letters or whatever, that ODI sends out to you are all being
17 generated through Artemis. There are workflow processes that
18 follow those letters around so if you're late in your IR
19 responses, the individual investigators will know that and you'll
20 be notified.

21 There's also a data mining area that's going to be
22 set up. As part of Phase 2, the data will be stored and the
23 investigators will be able to do all kinds of what-if analysis on
24 the data. In addition to that, we're giving them □ the
25 investigators will have expanded query capability and thrown all

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 into that a document image management system.

2 So, it's a pretty big system. It's in multiple,
3 multiple, multiple terabytes and hopefully it will help ODI do
4 their job more efficiently.

5 Okay, so I think I've sort of said everything I was
6 going to say. Do you want to open up the questions?

7 MR. BERK: Yes, I think so.

8 MR. WEINSTEIN: We haven't really discussed this but
9 I think given the fact that I mentioned that Ford had sent in some
10 questions and I've just been handed a couple of questions that
11 Volkswagen submitted. Maybe we can go through those and then they
12 may address a lot of the issues that some of the other folks have,
13 and at the end of that, if there are issues that you know any
14 other issues that you have, we'll come on up to the microphone and
15 deal with that. So, hearing no objection that's how we'll
16 proceed.

17 I don't want to have to read all these questions,
18 so I hope there's at least a fairly good spread of these questions
19 out there, but the first one basically asks does everything have
20 to show up on the actual day, the last day, or can manufacturers
21 send their submissions in early?

22 I guess the answer to that is that the rule only
23 requires things to be in by close of business. I don't know if it
24 says close of business but we would want it by close of business,
25 which I guess is 4:00 p.m. on the day that the files are due.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 But, of course, we'd appreciate early submissions if any
2 manufacturer has it ready. We may informally try to spread that
3 out but the rule is not going to be changed. It will still say
4 the submissions must be in by 30 days after the end of the
5 calendar quarter, 60 days for the first three submissions, then 30
6 days thereafter.

7 Bob, can you address, or Joe, how much bandwidth we
8 have? I mean is it likely that if everyone decides to send it in
9 within that same five-minute period, what will happen?

10 MR. ROLLINS: Well, I'll let the network guys follow
11 up on it but as you can see in the drawing there, there's three T1
12 connections. We have another T1 for a backup. Those T1s are
13 about what, 1.5 megabits per second. So, we're using that in
14 other systems. The SSH protocol and equipment right, the firewall
15 and things of that nature, so we don't know.

16 We think we're safe but until we get into working
17 with the manufacturers and determining the size of the files, and
18 I guess a lot depends on the size of the field reports and fleet
19 reports. There were still a few threshold numbers on those that
20 were kind of shocking the last time we did this in April, I think.

21 It went from 50,000 a year to some extravagant number.

22 So, all these factors come into play. We think we
23 have enough support for supporting, for receiving the template
24 files and if the fleet reports, the field report requirements are
25 such that the volume is sort of what we expected originally, we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 should be fine there. Otherwise, I guess we just keep on
2 increasing the flow, right?

3 MR. WEINSTEIN: And of course, if the problem is on
4 our end, because we can't accept data, certainly there's no
5 consequence to the manufacturer and realistically if a
6 manufacturer in good faith trying to get things to us, we're not
7 going to turn around and seek extravagant civil penalties,
8 especially in the first couple of reports, but hopefully this will
9 work and as Joe and Bob said, especially if we have some
10 volunteers to try this out, we'll make it work.

11 MR. BERK: Let me just follow up. In fact, the
12 whole issue of test submissions is really to help us understand
13 the volume of data that you folks are going to be sending us and
14 if, in fact, we get a good cross sample of manufacturers, we're
15 hoping that those manufacturers will submit relatively early in
16 the process because they will have had the experience in sending
17 data through to Artemis and we'll spread the word around that, in
18 fact, it works and it works quite well and so there's no much
19 point in waiting to the very last minute.

20 MR. WEINSTEIN: By the way, there are some extra
21 copies that are going to be circulated around for those who don't
22 have them and we'll get to that side of the room as soon as we
23 can.

24 The second question I'm going to defer right to the
25 experts. It deals with the ability to send reports in compressed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 ZIP files. One of you address that.

2 MR. BERK: Yes.

3 MR. ROLLINS: Yes, basically you know certainly we
4 can support ZIP files. The concept of a container file,
5 containing all the different submissions, we really haven't
6 thought too much about that and I think what we said was what we'd
7 like to do is start working with the manufacturers and just see
8 what's involved here before we commit to it one way or the other.

9 But certainly, we would want you to be able to send
10 us ZIP files, you know, compressed. It saves us as far as the
11 bandwidth consumption and it also saves you transmission times and
12 what have you.

13 MR. WEINSTEIN: Thanks, Joe. The third question
14 deals with whether or not the quarterly type of reports, or excuse
15 me, monthly reports, the ones that have to come in under new
16 Section 579.5 will be coming in sort of electronically as Joe
17 described. That is not, at the moment ☐ it is contemplated but
18 it's not in place and it probably won't be in place when those
19 first new reports under 579.5 have to start coming in in April.

20 So, those should be submitted the same way your
21 current reports are under the previous Section 573.8. Everyone
22 has been doing that for many years and I don't expect that the
23 TREAD Act amendments, excuse me the early warning amendments that
24 were just put out will add too many documents to that. In the
25 future, we plan to enhance the system so those can be accepted

1 electronically.

2 The fourth item asks about notes that we don't
3 require production data for vehicles produced or sold outside the
4 U.S. and asks about normalization. It is true we don't ask for
5 that data. It's unlikely that we are going to be using foreign
6 reports of deaths and injuries that occur outside this country in
7 a statistical manner. They're really more as pointers. So, we
8 don't need to normalize. We don't need that foreign production
9 data.

10 The fifth item deals with format types that could
11 be included when people are sending in field reports and other PDF
12 files and I'll turn that one over to the guy at the end as well.

13 MR. ROLLINS: You know, I mean basically I'm not
14 sure what the file words were or the rule, but what we're looking
15 for is to support the most popular types and PDF, TIFF and
16 probably JPEG, and you know and there's also in the rule a
17 resolution statement for character resolution that states, you
18 know, 200 to 300 DPI. The reason for that is we'll be probably
19 OCR-ing some of these images if they are text files that we can
20 OCR and that way we'll be able to put those right into our
21 repository for text mining purposes. The thing about WAV files
22 and □ what?

23 MR. BERK: The video files.

24 MR. ROLLINS: Yes, the video files. Artemis can
25 handle multimedia. It can handle WAV files, MPEGs, the whole

1 thing, but I'm not sure that ODI or NHTSA is going to have you
2 submit those just yet and maybe if they go out and request them.
3 You know, this is really your think, Ken, right, but we can
4 support the files.

5 MR. WEINSTEIN: Yes, our plan was what we would like
6 to see if a field report contains or there's an attachment to a
7 field report that's an AVI file or a WAV file or other video sort
8 of file, what we want is not to have you submit that now with, you
9 know, in the quarterly report but make sure that in the, I'll call
10 it text file, whatever form that takes, there's a reference to the
11 fact that there is more to it, that there is a AVI file.

12 To the extent that some company may in the future
13 decide to turn the entire field report into an AVI file so there
14 is no, I'll call it text, that would not excuse you from letting
15 us know. We need to get in that case at least a document that
16 says there is a field report dealing with this, that, or the other
17 thing and it's on an AVI file so that the screeners can, if need
18 be, obtain that from the company directly but we don't want to
19 overwhelm, at least in the early stages, we don't want to
20 overwhelm Artemis to getting all those extra bits and bytes.

21 Number six deals with the fact or at least the
22 question regarding the possibility that some manufacturers might
23 copy certain reports from one database to another database. That,
24 of course, is up to a manufacturer but our request is what it is.

25

1 In other words, we want warranty claims regarding a
2 certain component in a certain make, model, year vehicle that's
3 the number we want to get. If it's in for some reason the
4 company chooses to move that into a database that also has
5 consumer complaints or also has something else, I mean for their
6 own purpose they can do that, but we don't want a number that's
7 too small.

8 We don't want a number that's too big. We want the
9 number that's accurate, so we're not saying give us how many items
10 are in a particular file but we want to know the number of things
11 that we asked for. So, I mean it's up to individual companies how
12 they store their own information, but that does not control how we
13 want to receive information.

14 Number seven, this deals with whether car rental
15 agencies and roadside assistance can be considered as insurance
16 companies and not reported. Well, I'm not exactly sure I even
17 understand the question, but I want to say this is a complex area
18 and I'm going to throw out some guidelines but this particularly
19 we'll try to deal with subsequently.

20 But basically, if a company has it's own, owns a
21 car rental agency and therefore it's a subsidiary of the company,
22 that company based on our definition of manufacturer is a
23 subsidiary and is part of the manufacturer if it relates to motor
24 vehicle industry, I guess, and safety data. We would expect to
25 get that information. It would be cumulative of other information

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the manufacturer has, and that would apply to roadside assistance
2 companies too if it's owned by the manufacturer.

3 If the company just has contracts with a roadside
4 assistance firm, independent firm, and gets reports from that firm
5 then we would view those reports essentially as, I mean, we want
6 that information to be conveyed as though it was passed on to us.

7 We want it to be passed on to us because it would be information
8 that adds to the company that they would have gotten.

9 Essentially, it would almost be like a fleet
10 report, like an independent car rental agency is a fleet, assuming
11 they have at least ten of the given make or model and model year
12 of a vehicle. Jon, is that basically it? I don't know if that
13 covers all the questions, but as I say, that's not really a
14 subject for this meeting anyway so we'll deal with that in the
15 early warning reconsideration rule document notice if it needs
16 further explanation.

17 Number eight, how do we identify data coming from a
18 fleet if we don't know it's a fleet. Well, if you don't know if
19 it's a fleet, it's not a fleet. You can only do what you can do,
20 so if you get a report from somebody and it says I had two
21 vehicles that had a problem and you don't know whether that
22 entity had more than ten of the given make, model, then you just
23 submit those as two separate complaints and it wouldn't be, you
24 wouldn't count it as a fleet. We're really assuming good faith on
25 the part of manufacturers in this context.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 As far as U.S. territories and reportability, the
2 statute really covers that issue. It defines, in fact legal staff
3 has pointed this out to me, that the term state is defined in our
4 statute to mean a state of the United States, the District of
5 Columbia, Puerto Rico, the Northern Mariana islands, Guam,
6 American Samoa and the Virgin Islands.

7 As far as we're concerned, those entities are
8 United States and we want one cumulative report dealing with
9 whatever information you get from the 48 other states, Alaska,
10 Hawaii, and those individual territories. Anything else that
11 might arguably be under the control of the United States, we don't
12 want that. We want you to be reporting consistently.

13 Number ten, will an affiliate that sold less than
14 500 vehicles reports independently report under the less than 500
15 category? Yes. That's the way we're assuming that many
16 manufacturers that own or have affiliations with or partnerships
17 with or whatever, make various car lines, that they'll be
18 submitting separately.

19 To give an example, Ford and Volvo and Jaguar,
20 that's our understanding. If for some chance a subsidiary
21 produces less than 500 vehicles per year, they'd be counted as a
22 small manufacturer and only have to submit the reports of claims
23 or notices of deaths or injuries.

24 Number 11, about mapping and inter codes, the
25 answer is yes there may be an opportunity but it won't be today.

1 We are going to seek standardization. We tried our best to
2 explain where the definition would be. If you send us any
3 ambiguities, we'll try to work that out but this is not the forum
4 for that.

5 Number 12, about detailed lists or examples of what
6 should be in property damage reports; no, I think the definition
7 of property damage is what it is. If an alleged defect causes
8 damage to property and someone submits a claim to a company, then
9 we want it. It should be a property damage claim, whatever it is.

10 Oil on the driveway is property. It would be too difficult to
11 define exactly what should be and what shouldn't be. As long as
12 everyone is doing it in a standardized way, it shouldn't be an
13 issue. I'm not suggesting that we're going to go after companies
14 because it leaks oil on the driveway, but a claim is a claim.

15 Sequential ID number and explain how it related to
16 each death and injury incident, then the question is, is the
17 sequential number unique to each vehicle, death, or injury, line
18 item, or death count? As we envision it, it's unique to each
19 claim. In other words, you're reporting claims of deaths or
20 injuries that are alleged, a claim or notice, the claim that their
21 injury was caused by a defect in the manufacturer's vehicle.

22 And so, essentially if there happened to be two
23 people in a crash or in a manufacturer's vehicle and they both
24 submit claims, they are separate claims and they're numbered
25 consecutively within each quarter and then the next quarter you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 start with one again. So, the main issue there is on the off
2 chance that the information in the claim has to be updated,
3 everyone will know what we're talking about. There's really no
4 analytical use to those numbers but it's just for identification
5 purposes.

6 Number 15, global production; no, we don't want
7 global production mentioned in that report.

8
9 Number 16, this asks is our pre-production vehicles, early built
10 vehicles, knocked down vehicles and kits to be included in U.S.
11 production volume? Without answering those specific questions, I
12 think I'll say that we've recognized that we need to have a better
13 definition of what production is. It may include more or less of
14 those vehicles.

15 For example, what about vehicles that are leased
16 out for experimental purposes, used on the roads but aren't being
17 sold in the U.S. and what about vehicles that are given out to
18 manufacturer employees to drive sort of, say test drive for lack
19 of a better term? We're going to have to deal with that. We know
20 we have to, so that's an item for the future. We will get a
21 standardized definition together.

22 Number 17 is template, how do you populate the
23 fields and the columns for fuel and brake types? Yes, use the
24 codes. By the way, the codes in the Ford submission are wrong.
25 It's brakes are three, service brakes are three and four, not four

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 and five, but otherwise yes, use the codes. Yes, that's just for
2 busses and I guess trailers also for brakes.

3 Okay, Number 18, for vehicles, for bus and medium
4 heavy vehicles where there's no VIN submitted, and there's no
5 identification of a specific fuel or brake system type, how would
6 a manufacturer decide which category if it was a grade complaint
7 say to put the complaint in?

8 Don't expect this to happen very often. The only
9 time you actually have these separate productions if a particular
10 model or model year vehicle has both, has two sets of brake types
11 as options or up to three optional fuel system types and most
12 vehicles do not.

13 In other words, a Class A truck, they conform.
14 They're essentially all air brakes so they'll just all be air
15 brakes, so that even if you don't have the VIN and it doesn't say
16 air brake, you know it's going to be an air brake if it's a brake
17 complaint.

18 If in those rare cases, at least for the moment,
19 our thought is in those rare cases if you have a complaint for a
20 type of vehicle that is made with let's say two different types of
21 fuel system, and the complaint does not have the VIN and it does
22 not say my diesel fuel leaked or my gasoline leaked, then you
23 simply would not include that complaint or warranty claim in the
24 submission in the data submissions. Of course, I assume with
25 warranty claims, you'll almost always have the VIN, so it's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 probably not even a real issue in most cases.

2 We would still, of course, want to get any
3 complaint of death or injury. We want to get the complaint. If
4 you don't know □ it's still a claim. Still submit the claim. If
5 you didn't know which types of brakes it was, you would not put
6 something in of course. We don't want anything wrong, but it
7 wouldn't give you a free ride not to submit a claim at all when it
8 is due or for the quarter in which it was received.

9 Number 19 is how do you populate light vehicle
10 types? I think we're going to come up with some code, two other
11 probably codes for the separate terms. This next question 20, is
12 in the case where a particular make or model and model year, some
13 vehicles are over 10,000 pounds and some are under 10,000 pounds
14 UBWR and so therefore some would be medium or heavy duty trucks,
15 busses in that category and some would be passenger light
16 vehicles.

17 We're going to agree with the Ford recommendation
18 that in any given year, wherever the majority fall, in other words
19 if 60 percent are over 10,000 pounds, then you submit it in the
20 truck and bus category, everything, even claims on those 40
21 percent that would otherwise be light duty vehicles.

22 Number 21 deals with the definition of production.

23 I think, I may be wrong but I think that you guys read it wrong
24 because the way that works is, it's always cumulative production.

25 In other words, if you're submitting for the second quarter of

1 say 2003, you're talking about model year 2003. You tell us all
2 2003 vehicles that have been built from whenever they started.
3 Maybe it was even back in February of 2002, but we get the
4 cumulative number.

5 For corresponding years that are over model year
6 2001 vehicles that are being submitted in 2003, it would be the
7 total production. So, it's not really an or, it's whatever the
8 cumulative production is as of the end of the month of that
9 quarter.

10 The last question on the Ford list is what name do
11 we provide in the report info field? It's the contact person the
12 primary contact person that needs to report to us under 579.29, I
13 guess it is. Joe mentioned that it has to be done, under the rule
14 it has to be done 30 days before the submission of the first
15 quarterly reports.

16 In this case, it would be by the end of July of
17 2003, although the rule doesn't say it explicitly, it's implicit
18 and we'll probably clarify this that if the identity of that
19 person changes, they retire, they move to a different job, we want
20 to know the replacement person 30 days in advance of whatever you
21 know the next quarterly report that that person would be in charge
22 of, the IT person yes.

23 That's really the person that Volpe and you know
24 the data people can talk to, not so much the ones that Jon talks
25 to. He already knows them. He knows those people and they know

1 him. I'm sorry? Oh, multiple vehicles, I'm sorry. Basically,
2 what we're looking for is the VIN of the vehicle that is alleged
3 to have the defect in it.

4 In other words, if somebody files a claim with
5 Ford, their list, saying that my mother died in a crash in a Ford
6 Taurus, between a Ford Taurus and a General Motors whatever but
7 she died because your Ford Taurus did not have a good air bag,
8 then we don't care about the VIN of the General Motors car that
9 was involved in the crash. We're looking for the vehicle in which
10 the defect is alleged.

11 When this came up, we started, we could identify in
12 theory two Ford products that crash into one another and it's
13 alleged that one of them had bad steering that caused the crash
14 and one of them had a bad air bag that exacerbated the injury, but
15 we think that's pretty unlikely. If that happens, call Jon on the
16 phone. So, basically it's the VIN of the vehicle in which the
17 alleged defect exists.

18 Very quickly, I think we have a couple questions
19 from Volkswagen which haven't been passed out but I'll just read
20 them. They're very short. One is what's the due date for the
21 first report, is it August 29th or August 31st? And that's a good
22 question because the regulatory text says 60 days from the end of
23 the quarter, which would be August 29th. The preamble says August
24 31st which was just being simplistic, counting months rather than
25 days.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 We'll do August 31st, and I think actually dates
2 were actually mentioned in the preamble for the first three
3 reports. After that, it's just going to be 30 days from the end
4 of the calendar quarter whenever it shows up, or of course if it's
5 a weekend, it would kick over to the next Monday or if there's a
6 holiday, it would kick over to the day after the holiday.

7 The next question is what is the due date for the
8 first reporting under 579.5 submissions? There's nothing specific
9 in the final rule except it does say five days after the month in
10 which the report or the event that triggers the reporting takes
11 place and we say the rule will take effect at the end of the first
12 calendar quarter. So, the simple answer is yes, we want all that
13 in.

14 To the extent that the early warning rule adds
15 information that has to be submitted beyond the old 573.8
16 information, we want that to start showing up by the 5th calendar
17 day of April and then the 5th day of each month thereafter. Those
18 are not quarterly. Those are monthly.

19 The third question is, is the electronic components
20 so broad as to include things as radio and telematics, and I don't
21 know if that's answered by the questions, the answer we had with
22 AVI. I hope it was. If it's not, then whoever asked the question
23 can ask it more specifically as part of the stand up and talk at
24 the microphone. Jon, anything else you want to add?

25 MR. WHITE: No, not now.

1 MR. WEINSTEIN: I then throw it open and don't all
2 run at once, but hopefully if anyone has any additional questions,
3 we will try to answer them.

4 MR. LEVINSON: I am Bruce Levinson of the Center for
5 Regulatory Effectiveness. We are a regulatory watchdog
6 organization that provides public oversight of federal and private
7 regulatory activities.

8 My question regards NHTSA's plans for applying the
9 department's forthcoming data quality guidelines to the early
10 warning reporting data. As you may know, if the works are early
11 warning related information, it would be subject to the
12 requirements of the Data Quality Act, including the requirement
13 for pre-dissemination review.

14 In the early warning reporting will be one of the
15 first major data intensive rules issued, implemented after October
16 1st, the date by which agencies are to publish their data quality
17 guidelines. CRE will be monitoring and reporting on NHTSA's
18 actions on this issue on our website, www.thecre.com. Thus, I
19 would appreciate any information you can provide about the
20 integration of these two important regulatory programs.

21 MR. WEINSTEIN: I believe we mentioned in the
22 preamble to the early warning rule that the data quality
23 guidelines were coming and we are aware of that and we will, of
24 course, we understand they apply to NHTSA and we will take
25 appropriate steps. But beyond that at this point, I don't think

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 they've been finalized yet and so I'm not really going to address
2 exactly how the two will interact, partly because I don't know.
3 But, even if I did know, it's still in flux and so we'll have to
4 deal with that after those data quality guidelines are adopted.

5 MR. LEVINSON: Thank you very much.

6 MR. DEFRANCISCHI: Good morning, Craig DeFrancischi
7 with Daimler-Chrysler. These are more technical issues because
8 I'm in the information technology department. How will NHTSA
9 process acknowledgments? Will each person within, for instance
10 Daimler-Chrysler receive an e-mail acknowledgment?

11 MR. BERK: An acknowledgment that your data has
12 been submitted correctly?

13 MR. DEFRANCISCHI: Probably not only submitted but
14 submitted correctly based upon your earlier presentation.

15 MR. ROLLINS: As I mentioned earlier, prior to
16 submission each manufacturer will have to give us two contacts and
17 that includes their address, their phone numbers, their e-mail
18 addresses, what have you, and those are associated with your
19 manufacturer EWR ID. Therefore, when we look at the file, we
20 extract the EWR ID. We go to the database. We look up who the
21 contact is, primary and secondary. We'll start with the primary.
22 We'll probably notify both. Both will get an e-mail if it's
23 different e-mail addresses.

24 MR. DEFRANCISCHI: What would the typical delay be?
25 Would that be instantaneous or how long do you envision this

1 process of cleansing it and letting the manufacturer know it's
2 okay?

3 MR. ROLLINS: Well, you'll get feedback probably in
4 two areas. One is that when you actually do the secure FTP
5 submission, you'll know right then and there that at least the
6 file was encrypted and it made it to the secure server, okay.
7 Right there, you're going to see that on the screen, so I mean you
8 could take a screen shot if you want it and say hey, I submitted
9 it, you know June 30th at 6:05 a.m. or something.

10 The second thing is after it goes through the
11 syntax checking, if it passes that and it goes into the data
12 quality checking, then you'll get a reply that says hey, you know,
13 you made it through. If you don't that reply will also contain
14 the messages. You know, we couldn't process your data. We
15 processed the data but you were missing warranty claims data or
16 you know there was a problem with deaths and injuries or whatever.

17 MR. DEFRANCISCHI: Now will we have one account per
18 manufacturer, or one account per contact within each manufacturer?

19 MR. ROLLINS: Right now, it's one EWR ID per
20 manufacturer.

21 MR. DEFRANCISCHI: Okay, encryption. We would
22 prefer that we send out our data 120-bit PGP. Can Volpe accept
23 that standard.

24 MR. BERK: Bob, do you want to take that?

25 MR. MALLION: We can accept that standard; however

1 there are issues right now with PGP and we prefer not be dealing
2 with and use the standard that's being incorporated into the item
3 as a part.

4 MR. DEFRANCISCHI: Okay, two more questions. We're
5 going to be sending in retroactive reports and it's my
6 understanding that you need to send in 12 separate reports. Is
7 there any way that we need to let you know what quarter is being
8 submitted?

9 MR. ROLLINS: Embedded in the file name is also the
10 quarter that you're submitting. I'm sorry, if you look at the
11 file name, you'll see there's an EWR ID, the year of submission,
12 two digits, a quarter, and also a sequence ID for additional use
13 if you had to do multiple submissions for the same quarter.

14 MR. DEFRANCISCHI: Okay and final question, it's my
15 understanding based on the earlier presentation that using the
16 ODI.EWR mail address would not be an option for a large
17 manufacturer. We need to push it through the two methods depicted
18 on the presentation here.

19 MR. ROLLINS: All federal e-mails, they all have
20 limitations on them, so I mean that's what we're afraid of. The
21 other thing you have to keep in mind is in an e-mail submission
22 your data isn't as well protected, so it really benefits you to
23 come in through the secure FTP server rather than sticking it in
24 an e-mail or you know if it gets intercepted or something?

25 MR. DEFRANCISCHI: Okay, thank you.

1 MS. WILSON: Anne Wilson. I'm with Rubber
2 Manufacturers. We represent the seven major tire manufacturers.
3 We have a list of questions which I thought I provided earlier but
4 I guess they got lost someplace. We need a definition of each of
5 the fields on each of the tables. Are you going to be able to
6 provide that to us, something from Volpe?

7 MR. WEINSTEIN: Which fields?

8 MS. WILSON: Well, like vehicle make and model and
9 things like that so they can do this in an IT way without having
10 to spell it out. Now, you're getting above my paygrade on IT
11 issues here, Ken.

12 MR. WEINSTEIN: So you mean in a claim involving a
13 tire where we've asked the tire manufacturers to identify the
14 make, model and model year of the vehicle?

15 MS. WILSON: Right.

16 MR. WEINSTEIN: You want a code like or something?

17 MS. WILSON: Right, something like that, a little
18 bit fancy but something like that yes.

19 MR. WEINSTEIN: I think we can probably do that but
20 not today.

21 MS. WILSON: I understand. The tire manufacturers
22 have previously met with you and some of them expressed a desire
23 to provide their information in XML format. Is that going to be
24 an option for them to do? We would urge you to make it an option
25 to put it that way.

1 MR. WEINSTEIN: Yes, I remember the meeting and
2 basically I think one of the concerns there was that the volume of
3 data if you had to report tire data on for every SKU and then
4 report it for every manufacturing plant that you had, that the
5 volume of data was going to be much, much, much too big for the
6 spreadsheet, and I think what we said there was look at it. You
7 know look at the volume of data involved and then decide from that
8 point on.

9 MS. WILSON: Well, let me ask this, if we're
10 participating in the testing format and some of our members feel
11 strongly this is the preferred format, can we try that through the
12 testing format, or is it something that we need to decide before
13 that?

14 MR. WEINSTEIN: No, I think during the test we could
15 discuss that.

16 MR. BERK: Yes, we'll work with you on that.

17 MS. WILSON: Let's see, we're going to need some
18 clarification and we're going to really need Volpe to work with
19 each of our individual members on how to accept multiple entries
20 in certain fields, and I'm probably not saying this correctly in
21 the IT format.

22 But they have different issues that pertain to
23 different member companies I represent and will you be able to
24 work with them on how they actually have to sort that data and how
25 they could have □ there's not one size that's going to fit all for

1 the tire manufacturers.

2 MR. ROLLINS: Right, we get that impression plus I
3 think at the last meeting, you know, there were a lot of Chinese
4 organizations that you had that were involved in this whole thing
5 too, right? I mean large manufacturers. So, yes I'm sure we want
6 RMA participation in the test.

7 MR. BERK: Yes, right.

8 MS. WILSON: But you can work individually with the
9 member companies to, so Michelin may do it differently than
10 Goodyear or Firestone, so I assume that the contacts that you've
11 given up here can work individually with them on those kinds of
12 issues?

13 MR. BERK: Our preference would be to work with RMA
14 to disseminate that information, not to work with each individual
15 tire manufacturer. What we'd like to do is get a sampling of
16 those and have the RMA be the focal point for dissemination of
17 that information through your industry.

18 MR. WEINSTEIN: Ultimately, Anne, we're going to
19 have a standardized system. We can work with whoever wants to
20 attend meetings to come up with that standardized system, but we
21 can't have Goodyear submitting different formats and different
22 types of information than you know Bridgestone-Firestone or any
23 other company because then we can't do comparisons. So, at some
24 point we're going to have to come up with a standardized system
25 and the manufacturers will have to adjust. Hopefully, that won't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 be very painful.

2 I will say the RMA contacts we essentially did what
3 you asked, so perhaps you should have thought of this earlier. I
4 don't mean to be flippant about it, but we do need a standardized
5 system.

6 MS. WILSON: And I don't mean to be flippant either,
7 Ken, but I don't think any of us quite realized the complexity of
8 some of these situations.

9 MR. WEINSTEIN: Fair enough.

10 MS. WILSON: In reporting deaths and injuries,
11 you're requesting component codes that are not identical to the
12 component codes that are reporting the data. This is sort of the
13 same issue that I've heard you address with the automobile
14 manufacturers. Do we need to go back and look at some of these
15 codes and marry them up or?

16 MR. WEINSTEIN: Yes.

17 MS. WILSON: Oh, one final question. One of the
18 members wanted to verify when we resubmit data would we submit the
19 whole file, that's correct?

20 MR. ROLLINS: Yes, that was the next list.

21 MS. VASUDEVAN: Srini Vasudevan, General Motors
22 Commission Systems. Most of the questions that I have are about
23 the field reports. The first question is I think that goes back
24 to your initial interaction. You mentioned about expected volume
25 that we have of the field reports, can you share that with us, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 size number one?

2 MR. WEINSTEIN: We discussed it. You know we had
3 estimates from the industry and we based our analysis on those
4 estimates. You know if they were either understated or
5 overstated, we don't know. We'll probably have a better idea this
6 November or December as we work with the companies. So, the
7 definition is the definition. I mean given how we define field
8 reports, companies know better than we do how many they have.

9 MR. VASUDEVAN: Okay. The first question was
10 actually that.

11 MR. WEINSTEIN: Yes.

12 MR. VASUDEVAN: Have you defined what information
13 format for the field reports? Have you published those? For
14 example, what make, model, model year and number of field reports
15 contained in each? Have you published those formats?

16 MR. ROLLINS: No, we have not.

17 MR. VASUDEVAN: When do you expect to publish those?

18 MR. BERK: Jon that would be.

19 MR. VASUDEVAN: Has the information for multiple
20 copies of field reports than maybe within a single vehicle make,
21 model, model year, when are you going to pushing those?

22 MR. WEINSTEIN: I guess I don't understand. We
23 established a requirement that these manufacturers submit the
24 number of field reports that they received.

25 MR. ROLLINS: That's right.

1 MR. WEINSTEIN: Regarding each make, model, model
2 year and a particular component code for the system.

3 MR. ROLLINS: That's right.

4 MR. VASUDEVAN: But you also have actual copies of
5 the field reports, right?

6 MR. WEINSTEIN: Yes, those are only the non-dealer
7 reports. Yes, we'll be getting those in. What's the question?

8 MR. VASUDEVAN: The thing is I think in the ruling
9 it said that they need to be partitioned by make, model, model
10 year, and actual copies of them, so when we start putting all
11 those files together for a given vehicle make, model, model year,
12 let's say we've got 100 field reports according to.

13 MR. WEINSTEIN: It's chronological.

14 MR. VASUDEVAN: Chronological.

15 MR. WEINSTEIN: It said within each make, model,
16 didn't we say chronological. I think we dealt with this. If we
17 didn't we'll take care of it. But I thought we said, if you bear
18 with me one second. Yes, we said chronologically by model year.
19 If you're saying we have a lot, I guess subject to change,
20 chronologically by date of report, why don't we just assume.

21 MR. VASUDEVAN: Okay.

22 MR. WEINSTEIN: Within each calendar quarter.

23 MR. VASUDEVAN: There could be supporting
24 information that we may have in the field report, for example
25 photographs or some other documents, how are we supposed to

1 associate that information for the field report?

2 MR. WEINSTEIN: If it's attached or enclosed or part
3 of the report.

4 MR. VASUDEVAN: No, you may have a field report that
5 contains maybe description of the incident, stuff like that, the
6 VIN numbers, the date of the incident, other description. That
7 could be a document. In addition, we may be having some other
8 photographs that we have taken that support that the field report.
9 How do we get those in?

10 MR. WEINSTEIN: They'd be referred to in the field
11 report itself. Presumably they'd be referencing "see photographs
12 of this component."

13 MR. VASUDEVAN: The actual component?

14 MR. WEINSTEIN: Yes. We want to handle that like we
15 said the AVI files. As long as there's a reference in the text
16 document to attachments, exhibits, whatever, then you don't have
17 to submit those attachments but you must refer to anything so that
18 Jon or his staff can request it subsequently.

19 MR. VASUDEVAN: Okay, so that it is right. So
20 basically you're saying in the field report, we have the copy of
21 the field report then any of the supporting documents we need to
22 add some additional notations saying that this field report is
23 supported by this many other AVI files, WAV files, and JPEG files?

24 MR. WEINSTEIN: If they are separate from the field
25 report. If the report itself is put together in, I'll call it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 document for lack of a better word, and there's a photograph in
2 that document, we can accept that, right. So, don't extract it
3 but if it is separate, then all you have to do is refer to it and
4 make sure that it's understood that anybody reading that would
5 know that there are additional photographs or tapes or components
6 or whatever that can be obtained.

7 MR. VASUDEVAN: Okay, so basically, the next
8 question I had was is irrelevant but I'll still go ahead and state
9 that. If you had photographs that had been taken, maybe that it
10 by itself a field report, maybe that is the main document that we
11 have, what is the resolution size that you want us to scan it in?

12 MR. ROLLINS: That's published in the rule there.
13 It's between 200 and 300 DPI.

14 MR. VASUDEVAN: Those are for character right or is
15 it for images too?

16 MR. ROLLINS: That was the optical resolution that
17 we want to receive it in for all that stuff, rather than trying to
18 delineate, you know, we want this resolution for text file.

19 MR. VASUDEVAN: How are you going to ensure that the
20 data from the various manufacturers are going to be partitioned on
21 the system? I know you explained it that they'll cross over, that
22 they are going be separate structure, security, when you establish
23 it at that level. Within your system, is it going to be at the
24 database level or is really at the record level? Can you share
25 with us?

1 MR. ROLLINS: Once the data is processed, all the
2 log in will be carrying the manufacturer's tag with it, so it will
3 have the source point associated with the data.

4 MR. VASUDEVAN: OK, that's all I have, thank you.

5 MR. KRAMER: David Kramer. What platform does
6 Artemis run on?

7 MR. ROLLINS: Artemis runs on a Windows advanced
8 server platform.

9 MR. KRAMER: So, Artemis is going to be an exchange
10 server in place of the media server?

11 MR. ROLLINS: The media server, as I said before,
12 was basically really just to process all kinds of media type
13 before we ran into this radiation problem that I talked about
14 earlier. The actual data itself is contained in the database.

15 KRAMER: Right, but I understand that for those
16 places that hold e-mail you'll have an exchange server for that?

17

18 MR. ROLLINS: Yes. The actual e-mail will be
19 processed. They haven't worked that out yet. I mean we're going
20 to have a couple of e-mail servers, one for the notification
21 certainly, another for other things on the public website. But
22 when you send it, I'm not sure, Terry maybe you know, where ☐ that
23 ODI address would go someplace here at ODI in the developing
24 process.

25 MR. ANDERSON: Here, right.

1 MR. KRAMER: So, are you already taking measures to
2 ensure security that's inherent with the initial basic scripts
3 exchange?

4 MR. ROLLINS: Well, I mean the security □ again, the
5 e-mail submission is not the recommended secure part. If you're
6 going to submit, it would be best if you did it over the secure
7 FTP server.

8 MR. KRAMER: Which is what we'll do but for the
9 integrity of the system itself.

10 MR. ROLLINS: The integrity, once it gets here it
11 will be subjected to, you know, secure measures. In addition, the
12 macros that are in those spreadsheets have been visually signed
13 within NHTSA as the data source so you'll know it's not in
14 somebody's garage coming.

15 MR. KRAMER: Do you have a process for password
16 changes on the password that's issued to the manufacturer?

17 MR. ROLLINS: Yes. There's a bunch of guidelines on
18 password updates.

19 MR. BERK: Bob, do you want to talk to passwords?

20 MR. MALLION: The federal guidelines are being
21 adhered to. The recommendation is for all account users, 90 days,
22 minimum of eight characters, multiple numeric and alpha
23 requirements with special character, et cetera. So, a 90-day
24 change of the server. Administrators will be 30 days.

25 MR. KRAMER: And regarding the secure FTP server,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 what access restrictions are there? Can you read, write, and
2 delete or just read, write?

3 MR. ROLLINS: No, you'll just be able to push your
4 data there. You'll never be able to see what is there. There's
5 no read. There's no privileges.

6 MR. KRAMER: And from your discussion, I understand
7 there's an interval where you're pulling data down.

8 MR. ROLLINS: Yes.

9 MR. KRAMER: Do you know what that interval period
10 is?

11 MR. ROLLINS: We're not sure. We expect it to be
12 pretty quick. We do not want to leave it on that server for an
13 extended period of time. I could give a number that we're
14 striving for but until we actually start working with the
15 manufacturers and get the volume worked out and the size of the
16 files, I'll hold off.

17 MR. KRAMER: From what I understand, you're going to
18 send e-mail notifications.

19 MR. ROLLINS: Yes.

20 MR. KRAMER: Since you don't know what the interval
21 frequency is and e-mail is not a guaranteed transport mechanism,
22 will there be any web interface where the TREAD officer could go
23 in and look at notifications?

24 MR. ROLLINS: Yes, we discussed that briefly back in
25 April with the alliance and some of the concern was there. I mean

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 what was proposed, I think, was that on the public website, we
2 have some kind of status, you know submission status, that you're
3 X, Y company, manufacturer X, Y, Z. Your data submission was
4 received in the process successfully.

5 Some of the concern expressed at that time was
6 because some of the manufacturers are afraid because we're just
7 coming up to speed, there might be a lot of errors involved. They
8 didn't want to see a whole broadcast on the public website that
9 hey, you know, this failed, sort of died. I think you brought it
10 up in April but I'm being nefarious.

11 Now, maybe as we get this program underway and the
12 manufacturers feel more comfortable in getting the status online,
13 we could address that issue.

14 MR. KRAMER: Do you have or has there been published
15 a diagram to show us when these notifications will exist?

16 MR. ROLLINS: Not yet.

17 MR. KRAMER: Do you plan on it?

18 MR. ROLLINS: We will have something, yes.

19 MR. BERK: Let me just make one quick explanation.
20 The EWR portion of Artemis, the substance of that work has not yet
21 really begun. We are really working very hard on this "Phase 1,
22 Non EWR portion" so the answers to many of your questions are,
23 we're going to be working on it. The reason for that is we
24 haven't really started it.

25 MR. KRAMER: I notice you have redundancy as far as

1 your connection to the Internet, to your ISP, and also your web
2 service, but there's no indication of redundancy in your SFTP
3 server, is that true?

4 MR. ROLLINS: Let me turn that over to the network.
5 Mike, do you want to take that?

6 MR. CUCCHI: Hi, there. It is true. We don't have
7 redundancy embedded for the SFTP server. It is, however, part of
8 the backup scheme. Backups are running nightly and restores will
9 be available under an hour, so you're looking at a data restore
10 time that's really acceptable there.

11 It's running on red hat Linux, 7.2. We have spare
12 hardware and we could have a new SFTP server in place under four
13 hours.

14 MR. WEINSTEIN: I was going to ask a question
15 because Joe you gave an example just before in answering a
16 question about sending it at 6:05 a.m. There's an allusion, I
17 thought there was some period of time and maybe you could tell the
18 folks what time that is, where because of backing up the system,
19 et cetera, that we will not be able to accept submissions, am I
20 right?

21 MR. ROLLINS: That was really for like the public
22 website and the Internet site. For the secure FTP server, that's
23 just acting like a repository. So basically, as long as that's up
24 and running, everything will be automated getting the data.

25 MR. WEINSTEIN: Twenty-four, seven?

1 MR. ROLLINS: So that should be 24/7.

2 MR. WEINSTEIN: Okay, thanks.

3 MR. KRAMER: Back to the category of electronics.

4 Do radio and telematics fall within that category?

5 MR. WEINSTEIN: That was the question you had before

6 and I'm not sure I understood it, so I'm going to turn it over.

7 MR. BERK: Maybe if you could explain the question a

8 little bit more. What's the specifics of the question?

9 MR. KRAMER: (Off mike).

10 MR. BERK: Oh, I see as a component category.

11 MR. WEINSTEIN: I think it's in electronics systems

12 probably. Yes.

13 MR. KRAMER: Thank you.

14 MR. WEINSTEIN: No wonder I didn't understand the

15 question.

16 MS. ANDERSON: I'm Sandra Young Anderson of Mazda's

17 information technology. First I have an assumption but I'll ask

18 anyway. If a manufacturer decides to send in files as part of

19 your public testing, is that information going to be treated

20 strictly as a test and dumped and not really analyzed for like the

21 rest of the workgroup?

22 MR. WEINSTEIN: The simple answer is we plan on

23 doing it as a test, but if something pans out, we're not going to

24 ignore it. We'll be testing our analytical processes at the same

25 time in a sense but that's pretty much all I can say. We can't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 make any promises but we certainly don't want a manufacturer to
2 give us incorrect data; otherwise, there wouldn't be much of a
3 point.

4 MS. ANDERSON: Well, I'm just thinking that at that
5 early date, ours is probably going to be strictly a test also, so
6 what you get may not be as correct as later.

7 MR. WEINSTEIN: But the other thing I'd point out is
8 that all the information, even when it's up and running will be
9 information coming into the screeners for them to analyze and see
10 whether they should open an investigation.

11 It's not going to be taken at face value in terms
12 of demonstrating the existence of a safety defect. It might cause
13 us to ask a question or it might cause us to open an investigation
14 but to the extent then it turns out the manufacturer says oh, we
15 were just developing our systems and sorry, there really weren't
16 100 complaints, there were just three and we made a mistake
17 because the computer burped or something.

18 There's no sort of automatic trigger that the
19 recall notice goes out just because you submit a test, or for that
20 matter even submit an early warning submission after the system is
21 up and running.

22 MS. ANDERSON: And then that data would be overlaid
23 when you get the actual information? In other words, if we had
24 sent in historic information as a test, it would be overlaid when
25 we send in the information.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. WEINSTEIN: Replaced. The historical
2 information that you send in at the end of September of 2003 is
3 going to be the information that we want. We would not ☐ the test
4 information would be irrelevant to that.

5 MS. ANDERSON: Okay, and not that anybody would want
6 to wait until the last minute to send in their files, but I'm
7 assuming end of day means East Coast time?

8 MR. WEINSTEIN: Yes, Cambridge time, let's do 4:00
9 p.m. Eastern time, whether it be standard or ☐ guys?

10 MR. BERK: That's fine.

11 MR. WEINSTEIN: 4:00 p.m.

12 MS. ANDERSON: And my last question is on
13 independent distributors. So, I know that Toyota has one, Mazda
14 has some, and probably some of the others do where there really is
15 no financial or control or any other type of association in a way
16 with that independent distributor. There is certain information
17 we get, for instance warranty, because we pay those, but if they
18 get customer relation calls, that sort of thing that we don't know
19 about, do we have to now go out and start collecting them?

20 MR. WEINSTEIN: I suppose it would depend on the
21 relationship between the companies, but why don't ☐ I would ask
22 any company that has any doubts in that regard to submit in
23 writing to us, either to ODI or to the Chief Counsel's Office, a
24 request for essentially an interpretation about whether on a
25 particular set of facts the "independent distributor" is part of

1 the manufacturer, and I can't address that here. It would be fact
2 founded.

3 MS. ANDERSON: Okay, thank you.

4 MS. CLAYBROOK: I'm Joan Claybrook from Public
5 Citizens. First of all, I was wondering what do you think is the
6 time delay between receipt of the data and putting it into the
7 public file? One of our concerns is the possibility of
8 manufacturer requests for confidentiality, even though of course
9 these are mostly numbers, and I was wondering how you intend to
10 process that.

11 MR. WEINSTEIN: Well, there's two questions there.
12 Number one is how are we going to process confidentiality
13 requests, and number two for information that is non-confidential,
14 how long would it take? On the first, that's really up to the
15 Chief Counsel's Office and I know there are efforts underway to
16 try to make some categorical definitions so we don't have to do it
17 individually for every report, every month, every page, which
18 would be impossible.

19 But beyond that, then assuming something is non-
20 confidential, the amount of time before it is ready to be on the
21 Internet, I don't know.

22 MR. ROLLINS: There's a lot of activity going on in
23 the systems at night. That's when we'll be doing our updates to
24 the public website, so conceivably it could go out that night and
25 be available early the next morning.

1 MR. WEINSTEIN: By the way, there's a delay before □
2 if I understand this and I hope I'm not getting it wrong, the
3 information comes in to essentially to Artemis but it is not
4 really □ you're not talking about it being available the next
5 night. As I understood it, it was being held for awhile to allow
6 for corrections, et cetera, and validations, am I right?

7 MR. ROLLINS: Well, it would certainly never get out
8 there, you know, the thing is it comes in. It gets validated. It
9 gets into the internal system. A lot of the information, the
10 other information that was sticking out there is going out on a
11 nightly basis. The EWR stuff we really haven't talked about but I
12 mean we can put in whatever delay that you want.

13 MR. WEINSTEIN: I guess we have to figure it out
14 when we see it. It will be a technological issue. It won't be
15 some internal delay that we're going to wait three weeks just
16 because we want to wait three weeks. It will be the question of
17 the ability of the system to make it available, but at this point,
18 I wouldn't want to make any promises because we don't really know.

19 MS. ANDERSON: But essentially rapidly?

20 MR. WEINSTEIN: Rapidly, yes. Again, just one
21 clarification. To the extent there is a confidentiality request
22 as you know, we deem the document or the submission confidential
23 until the Chief Counsel's Office has an opportunity to look at it.
24 In other words, we assume confidentiality until there's been a
25 ruling and so the time lag there is at this point unknown.

1 MS. ANDERSON: But not on the whole report, only on
2 that piece of information?

3 MR. WEINSTEIN: Absolutely, to the extent yes, I'm
4 assuming we're going to be able to segregate those two, but again
5 that's a technological.

6 MS. ANDERSON: Is that a technological possibility?
7 Well, I'd like to ask the technical guys.

8 MR. ROLLINS: If we can assume that it's
9 confidential if they say it is.

10 MS. ANDERSON: No, no, you assume it's confidential.

11 MR. ROLLINS: Right.

12 MS. ANDERSON: But it may be only to one element of
13 a lot of information that's submitted. The question is can that
14 be segregated out so that the rest of it goes on the public file?

15 MR. ROLLINS: It could. We just haven't addressed
16 that.

17 MS. ANDERSON: Are you intending to address that?

18 MR. WEINSTEIN: It's really a question for counsel.

19 As you know, Joan, they're in the process of revising Part 512
20 and so right now, of course, if you're submitting hard copies and
21 you want part of it confidential, you're supposed to submit two
22 separate packages, one complete with the confidential information
23 and one non-confidential part.

24 I suppose we could require manufacturers to do that
25 electronically, send in a Sub-A meaning confidential, and Sub-B

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 meaning the entire report, including confidential. That is part
2 of the 512 rulemaking, which I'm not intimately involved in.

3 MS. ANDERSON: Well, since you already do that for
4 hard copy, why couldn't you do that in this rule for electronic
5 now?

6 MR. WEINSTEIN: I'm not saying we can't
7 technologically. I'm just saying the issue of how we do that is,
8 I think, going to have to be addressed in the Part 512 rulemaking
9 and that's not ☐ I just don't know the answer. I'm not saying
10 it's not going to happen. I just don't know.

11 MS. ANDERSON: Yes, no I understand that but all I'm
12 saying is that for your consideration, since you operate today
13 with two different items and 512 may not be issued for five
14 years, you don't want to wait until this goes into effect for
15 that.

16 MS. WEINSTEIN: That's right.

17 MS. ANDERSON: It does seem to me that if this goes
18 into effect and 512 isn't yet finished for whatever reason, that
19 you would want to at least use the existing system, inadequate
20 though it may be, so that you can have two different files so that
21 one could be put in the public file.

22 MR. WEINSTEIN: I hear you and we'll talk to counsel
23 about it, but it's in their bailiwick. Technologically, we can do
24 it as Joe says, but we just have to be told what they want us to
25 do.

1 MS. ANDERSON: My second question deals with oral
2 communications from dealers to manufacturers. In the rule, as I
3 understand it, it only covers written communications and yet the
4 existing regulations have a requirement that when a manufacturer
5 has communications to the dealer, the other direction, that they
6 have to essentially put into writing what their oral
7 communications consist of.

8 And it seems to me that it's somewhat of a loophole
9 here that you could have oral communications from the dealer to
10 the manufacturer that would not be reported. What I'm referring
11 to is 30166 F. That's the existing statute that says a
12 manufacturer should give the secretary a true or representative
13 copy of communications to the manufacturer's dealers.

14 And so, it does seem to me that in this particular
15 case, where we're talking about dealers to manufacturers, it
16 should also be a true or representative copy.

17 MR. WEINSTEIN: I'm not sure the true or
18 representative copy means oral, but Jon does 573.8, the old 573.8
19 require manufacturers to memorialize oral communications to more
20 than one dealer? I don't think so. I think representative copy
21 just means a xerox of the true copy. But I don't know, Joan, and
22 you better write.

23 MS. ANDERSON: A letter about that?

24 MR. WEINSTEIN: Write a letter about that.

25 MS. ANDERSON: Okay, well the original 1966 statute

1 used the word "oral," and then when this was supposed to be
2 written in the English language, it called it a true or
3 representative copy. So, I'll keep that out for you as well.
4 Maybe we need to amend the current rules for the existing law, I
5 mean for the earlier law.

6 Okay, the last question that I have has to do with
7 VOQs. As I understand it, you sent the VOQs to the manufacturers
8 on a regular basis where people have written in and alleged a
9 defect. How often?

10 MR. WEINSTEIN: Jon?

11 MR. WHITE: I'm sorry.

12 MS. ANDERSON: As I understand it, you sent regular
13 VOQs that come into this agency to the manufacturers so they're
14 informed of where people have raised a question about a defect in
15 their vehicle.

16 MR. WHITE: We had been doing that. We haven't been
17 doing that now for some time.

18 MS. ANDERSON: Why not?

19 MR. WHITE: Because of the personal identifiers.

20 MS. ANDERSON: But there's a box that says you can
21 send it to the manufacturer that people check off.

22 MR. WHITE: Right.

23 MS. ANDERSON: If they check that box off, you don't
24 send it to the manufacturer?

25 MR. WHITE: Not on a defect issue. On a recall

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 issue, we send them all to the manufacturer.

2 MS. ANDERSON: What's a recall versus a defect?

3 MR. WHITE: A person writing in citing it's related
4 to a recall, remedy failure, parts, the universal issues of all
5 the manufacturers. But with respect to a defect issue, they can
6 access that information on the website so our sending them out
7 copies of these VOQs.

8 MS. ANDERSON: The VOQs you can get off the website?

9 MR. WHITE: The listings of them.

10 MR. WEINSTEIN: Summaries.

11 MR. WHITE: Summaries.

12 MS. ANDERSON: Summaries but not the names and
13 addresses of the individuals.

14 MR. WHITE: Right.

15 MS. ANDERSON: Right. So you assume and if a
16 manufacturer needs it, they can come back and ask you for it, is
17 that your assumption?

18 MR. WHITE: The recalled ones have the names and
19 addresses on it.

20 MS. ANDERSON: No, I mean the ones where they allege
21 a defect. That's what we're talking about with the EWR.

22 MR. WHITE: Those, we don't send it. Their personal
23 identifiers are not provided. On a routine basis, the ones where
24 the manufacturer is checked off, those get provided if a consumer
25 has checked it off. In the context of an investigation, if it's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 starting with a PBA or an EA, they'll send those off to them, but
2 on a routine basis, we're not sending it to those manufacturers.

3 MS. ANDERSON: So they're not on notice that you
4 know of the notices that you get from consumers. The
5 manufacturers are not informed of consumers' concerns?

6 MR. WHITE: Other than through the website.

7 MS. ANDERSON: So you assume that they're looking at
8 the website. Well, that sort of adds to my question, which is, my
9 question has to do with the relationship between the reports that
10 are going to come in from the early warning rule for the
11 manufacturers about injuries, crashes and deaths, and whether or
12 not there's going to be any relationship between the VOQ reports,
13 that is the allegation of a problem and the reports that the
14 manufacturers have in order to have as much data as possible.

15 It seems to me you would want to have those
16 included in either the report from the manufacturer, right, or at
17 least that the agency would include them so that you would have
18 the whole picture.

19 MR. WEINSTEIN: We can do that. I mean when we
20 asked for manufacturers to give us the number of consumer
21 complaints they had received, we don't expect them right now, and
22 we wouldn't under early warning either, to have added the ones
23 that NHTSA or ODI had gotten directly. We want the ones that came
24 to them directly.

25 MS. ANDERSON: Right, right, right.

1 MR. WEINSTEIN: And to the extent we need to, we can
2 add the ones that we've gotten and then, of course, in an
3 investigation, we make sure there's no double counting. We
4 wouldn't probably go to the effort, you know unless there was some
5 reason to think about opening an investigation or actually opening
6 an investigation, we wouldn't do the effort of trying to eliminate
7 double counting unless there was some reason that we really wanted
8 to look at something more carefully.

9 But yes, we can certainly add the ODI, the VOQs
10 that come directly to ODI into the two. We can add those to the
11 material that comes in through early warning reporting and we will
12 as appropriate.

13 MS. ANDERSON: But it wouldn't be included, so it
14 wouldn't be a master database is what I'm trying to say.

15 MR. WEINSTEIN: Not automatically, no. That's not
16 the plan, but.

17 MS. ANDERSON: Well, I would like to urge for your
18 consideration that either you send to the manufacturer the VOQs
19 alleging a death injury or crash as a result of a safety defect,
20 if I make my own car, so that they can include it in their report
21 to you.

22 MR. WEINSTEIN: We'll consider that. You might want
23 to put that in your letter too.

24 MS. ANDERSON: I will do that but I just wanted you
25 to understand that otherwise this database is going to be, at

1 least for the public is going to be incomplete, and what the
2 public might do, not understanding that there could be
3 duplication, that is that the letter could have gone to the
4 manufacturer as well as to NHTSA, they may double count or the
5 press may double count, or whoever may double count the number of
6 deaths and injuries.

7 And so, it just seems to me that for accuracy, as
8 well as for the manufacturer to be fully informed, when they send
9 their's in for their own analysis to be sure that they're looking
10 at the VOQs as well as the public. That's my suggestion.

11 MR. WEINSTEIN: I hear you.

12 MS. ANDERSON: Appreciate it, thank you.

13 MR. SCULLY: I'm Bill Scully, BMW of North America.

14 A couple of questions about the update process for reporting data
15 on fatalities and injuries. First of all just for clarification,
16 do I understand correctly that the sequential ID number, which Ken
17 had mentioned, was for each claim remains with that claim
18 indefinitely, I guess.

19 MR. WEINSTEIN: Yes.

20 MR. SCULLY: Even if there is updated information,
21 you still have to tie into that particular □

22 MR. WEINSTEIN: That was the goal that you would put
23 in the updated information and say this is to update Claim # BMW
24 04372, if you had 72 claims in a given quarter, but basically that
25 would be the goal.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. SCULLY: And that kind of leads into my follow-
2 up question about understanding the process a little bit better of
3 the mechanics of that reporting.

4 MR. WEINSTEIN: That's done directly.

5 MR. SCULLY: I mean that would not be part of EWR
6 data submission?

7 MR. WEINSTEIN: Send an e-mail. Call Jon. Yes, we
8 don't need that to be part of the next quarterly report. My view
9 is it's not going to come up all that often. We can handle that
10 on an individual case-by-case basis, right?

11 If it becomes a problem, if it turns out that a lot
12 of updating is necessary, we really minimize the amount of
13 updating because I think it only applies if the VIN was not given
14 originally or if there were no component codes in the original
15 claim, and that's not going to happen all that often, I would
16 imagine.

17 Most claims for death or injury, somebody is going
18 to miss the VIN, or the manufacturer is going to know it from some
19 other grounds and most claims are going to allege a particular
20 component failed. It's possible that they don't, but I don't
21 expect this to be a major issue.

22 MR. SCULLY: I wouldn't either, but regardless of
23 the reason for the update, whether it's injury turning into
24 fatality or the VIN suddenly becoming available or a component
25 identification.

1 MR. WEINSTEIN: We don't require updating on the
2 first, right? In other words, if you've reported an injury claim
3 and then the person subsequently dies a month later, there is no
4 required update. You may want to. You may want to let us know
5 but we do not require that.

6 MR. SCULLY: Again, regardless of the reason for the
7 update, you'd rather know directly?

8 MR. WEINSTEIN: Yes.

9 MR. SCULLY: Not through the EWR?

10 MR. WEINSTEIN: Yes, we don't have a template for
11 that.

12 MR. SCULLY: Thank you.

13 MS. O'CONNOR: Katie O'Connor. I'm from Russell
14 Long and I just had a quick question.

15 MR. WEINSTEIN: From where, I'm sorry?

16 O'CONNOR: Russell Long. If a manufacturer doesn't
17 have any data to report for a particular quarter, do they still
18 have to notify NHTSA that they're not submitting any data or a
19 report?

20 MR. WEINSTEIN: We talked about that yesterday
21 actually and I guess we're inclined to say no, and they don't even
22 have to give us a contact point or request a password until the
23 first time that they think they're going to have to report data.
24 We're talking now about the people who are under 500 by
25 definition.

1 We may want to have all the vehicle manufacturers,
2 I've thought about this some more since yesterday. We may want to
3 have all vehicle manufacturers, even if they're under 500, give us
4 a contact point and a password just so that we have a contact
5 point. But, for like the replacement equipment, other than tires
6 and child restraints, and for the manufacturer's original
7 equipment, we don't plan to require that.

8 Now, of course, if they're going to be doing the
9 submission, they have to call up, get the password, and then give
10 us a contact person. Again, the report might come in the way Joe
11 is saying right over the Internet but we still need to know
12 personally.

13 O'CONNOR: Thank you.

14 MR. FLEMING: Carey Fleming with Winston & Strawn.
15 If a company were to transition above or below the 500 vehicle
16 threshold, is there any expectation of an additional
17 correspondence to you all or was it just sufficient in the report
18 we had?

19 MR. WEINSTEIN: We actually talked about this too
20 and decided it was too complicated, but not so much telling us
21 about it but what actually happens, if for example, in calendar
22 year □ whatever. Why don't we defer that. We'd appreciate if you
23 have that question, put it in writing. We'll try to answer it in
24 the context of a reconsideration or do a separate interpretation.

25 MR. FLEMING: Well, the other question I had dealt

1 with passwords and I think that I understood that the password
2 would change once every 90 days, is that correct?

3 MR. WEINSTEIN: That's the federal requirement.

4 MR. FLEMING: That's just kind of a police for the
5 industry. That means each time we report, we're going to have to
6 change the password. Is there anything we can do about that?

7 MR. MALLION: I don't think so. There are things
8 I'm not at liberty to discuss. It will be brought up to the NHTSA
9 people for consideration.

10 MR. FLEMING: Just for ease of use trying to submit
11 the data, I think each time we have to submit is going to be a
12 little □ thank you.

13 MR. MALLION: The system is designed to meet federal
14 requirements.

15 MR. SCULLY: I understand, thank you.

16 MR. ABBOTT: Gerald Abbott with American Honda Motor
17 Company. A couple of questions, please. As we are not able to be
18 a part of the volunteers testing the system for January, could we
19 still test the system after January for the first quarterly
20 report?

21 MR. BERK: I don't think so, no. Quite frankly, the
22 reason we're limiting the test submissions because of the
23 resources available to us to make sure that we can do the job.

24 MR. ABBOTT: So, is it possible if they're not ready
25 at the beginning of your test period to still join you say in

1 January when you test?

2 MR. BERK: Our plan really is to roll out Phase 2 at
3 this point of Artemis into March, so joining a test submission in
4 January, February would probably be too late.

5 MR. ABBOTT: I keep coming back to the question from
6 Mazda, Ken, in terms of the kind of data we're submitting. We'd
7 like to know that we understand correctly what you expect of the
8 data, so normally we would include some data just to know the
9 formats are correct and know the representation of the field are
10 correct and we'll then continue to develop our system. We may not
11 actually have production test data available until January.

12 MR. WEINSTEIN: Well, just work with Jon and with
13 Bob. You have an e-mail address there. Try to get scheduled. I
14 mean at this point, they're going to schedule as they can and if
15 companies are ready to participate in a timely fashion and fit it
16 in with all the rest of the other needs, then we'll just have to
17 forego it. But you know work with Jon and Bob and try to see
18 what you can do. It doesn't necessarily mean you have to do a
19 full submission as a test. Whatever they work out, we'll try to
20 work with it.

21 MR. ABBOTT: We have a possibility with just the
22 warranty claims. The other question deals with if we decide to do
23 an investigation, our intent was to keep all the detailed data
24 frozen that we use to submit the aggregated cost to you.

25 Are you going to require any special standard

1 format in that detail data or would we just give you □ say you
2 want to come back and ask for all the warranty claims for a given
3 component group in a week. We'll spin those off. We'll give
4 them to you. Do we give you our layout and say this is what each
5 one of the fields mean, or are you going to want us to only submit
6 certain detailed information?

7 MR. WEINSTEIN: That all depends on the IR, the
8 information request that we issue as part of the investigation.
9 We'll ask for specific data.

10 MR. WHITE: If I understood you correctly, you're
11 talking about supplemental requests or if NHTSA comes back and
12 asks for a clarification.

13 MR. ABBOTT: Right.

14 MR. WEINSTEIN: Well, you used the word
15 investigation, but if you're talking about just follow up
16 questions that we want more detail, we'll ask for whatever we ask
17 for and hopefully you'll be able to give it to us. Until we ask, I
18 don't know what we're going to ask for until we see what
19 additional, supplemental information we need, I mean I don't know.
20 If we're unreasonable, you'll tell us. Jon won't be unreasonable.

21 MR. MOSELY: Anne Mosely. I have one other
22 question. This one really is for Ken. Do you intend on ruling on
23 petitions for reconsideration prior to the test being started?

24 MR. WEINSTEIN: I don't know. Bob, anything?

25 MR. BERK: No.

1 MR. WEINSTEIN: Anybody else have any further
2 questions?

3 MR. TROELL: George Troell, Ford Motor Company. I'd
4 like to make a comment on clarification on the VOQs that was
5 brought up earlier. NHTSA has been providing VOQ database in an
6 FTP format since the late '80s and it's still provided on the
7 public FTP site to the best of my knowledge.

8 We get it at Ford on a weekly basis, the complete
9 FTP file transfer contains all VOQ data for all manufacturers with
10 all of the personal information stripped out of the file, and that
11 data is being used within, not only our company but we know it's
12 being looked at by General Motors and other companies as part of
13 their internal early warning system.

14 How can we prevent double, you know, the risk of
15 double counting there if NHTSA adds the data in as was suggested?

16 MR. WEINSTEIN: Well, I guess I was not aware that
17 Ford or for that matter any other company was planning on
18 submitting, when it submitted its number of consumer complaints
19 about a particular component, make, model, model year, that it was
20 planning on including the information.

21 MR. TROELL: No, what was suggested though □ no, I'm
22 talking about what was suggested was that the data be provided to
23 the auto companies and added into their data so that it was a
24 complete record, or added in at your side.

25 MR. WEINSTEIN: You mean suggested by Ms. Clayberg?

1 MR. TROELL: Right.

2 MR. WEINSTEIN: Well, that's one of the things.

3 MR. TROELL: I just think there will be a lot of
4 confusion.

5 MR. WEINSTEIN: That's one of the things we would
6 have to consider and really □ I mean if we get a letter from
7 anybody, from Ms. Claybrook or otherwise on these issues, they
8 will be in the docket to be sent to anyone who wants to weigh in.

9
10 There won't be a formal rule making proceeding but
11 if anyone wants to weigh in and you know on what the answer should
12 be and this goes, of course, the other direction, the manufacturer
13 asks for a clarifying question.

14 If anybody who is interested wants to comment,
15 they'll have the opportunity to do it. I'm not going to promise
16 any particular amount of time that we'll wait for those. There's
17 not going to be a Federal Register notice, but the docket will be
18 the docket and those who are interested in these issues should
19 keep perusing it.

20 MR. TROELL: Okay, my main issue is just to raise
21 the point that the data is available.

22 MR. WEINSTEIN: Okay, thank you.

23 MR. INTRILIGTOR: Hi, I'm James Intriligator, a
24 couple of questions. One, the two contacts, I realize Jon
25 probably knows them but are those just IT contacts or audits and

1 things like that as well?

2 MR. WEINSTEIN: We're talking about here the IT
3 context, the ones covered in Section 579.29 (c) I believe it is,
4 (c) or (d).

5 MR. INTRILIGATOR: I see, so then it's assumed that
6 they will then have the contacts to the right people inside the
7 company, is that right?

8 MR. WEINSTEIN: They better, yes.

9 MR. INTRILIGATOR: All right, the question of PGP-
10 encrypted ZIP files, things like that, came up earlier. I guess
11 it's more for that side. It seems like it's true there are
12 problems with it but it seems like there's sort of no harm in
13 encrypting the files that have been submitted anyway. Is that
14 being considered?

15 MR. WEINSTEIN: Bob, do you want to take that?

16 MR. MALLION: All files being submitted are
17 encrypted 128-bit. It's just the format of whether it's PGP or
18 some other encryption algorithm that's being implemented. That's
19 part of the design system.

20 MR. INTRILIGATOR: Right, they're being encrypted
21 though over the Internet. I mean when you're submitting the data,
22 but why not have them encrypted as well so that the files
23 themselves are encrypted so there's two layers of encryption, so
24 that as they're coming to the site, that transmission is encrypted
25 and then the data that is coming there is also within itself.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. MALLION: If you wish to encrypt it, that's
2 something that will have to be dealt with by the algorithms within
3 the application, and is that being handled? That's a question I'd
4 have to go back to the developer on. We just know that we
5 submitted the requirement that it will be encrypted 128-bit during
6 all transmission. That's what the federal requirement calls for.

7 MR. INTRILIGATOR: I see. This is, I guess, sort of
8 following up on Gerry Abbott's question. After you get the data,
9 once it's in Artemis, what kind of questions might either Volpe or
10 ODI come back with? What form might they be in? What would you
11 expect to apply to them? I guess it's probably going to be on a
12 case-by-case basis but is there any sort of formal system thought
13 of so that there could be, for instance, other primary contacts at
14 each manufacturer to handle follow-up issues?

15 MR. WEINSTEIN: The answer is I don't know what the
16 format will be. I don't know what the questions will be, but the
17 questions won't go to the IT person that we just talked about. The
18 questions will go to the normal, what I'll call safety office, for
19 lack of a better term within each manufacturer that we normally
20 deal with.

21 MR. INTRILIGATOR: Okay, this is more of a Phase 2
22 question, but any thoughts on what kinds of analyses, you
23 mentioned there were text analyses through NCR and stuff. What
24 kinds of analyses are being done on the data?

25 MR. WEINSTEIN: Is it valid, or what we're going to

1 do to try to figure out whether it indicates the existence of □
2 there are still lots of things. We have not identified and we
3 don't plan on identifying a step by step, we're going to do this,
4 that, and that in every context. It will depend on the individual
5 issue and we'll □ you know we have ideas, but we are not planning
6 on having a standardized process, and we certainly don't want to
7 make it public.

8 MR. INTRILIGATOR: Just to make sure, someone
9 earlier asked about Artemis, to go in there will they have sort of
10 privileges, rights and stuff. You only go there to dump data.
11 When you go there, there's nothing else there, is that correct, so
12 you can't go there and see what you have submitted or anything?

13 MR. BERK: That's correct.

14 MR. WEINSTEIN: That's correct, other than the non-
15 confidential material that's going to be on the Internet. You go
16 like any other citizen, but no you don't have special rights as a
17 manufacturer.

18 MR. INTRILIGATOR: Will there be any sort of
19 manufacturer only places where they can go and get status reports,
20 updates? You know it might be nice to see if there has been the
21 request for submission or details with that or is that possible?

22 MR. WEINSTEIN: The manufacturer will know when they
23 get the request but other than that, no.

24 MR. INTRILIGATOR: If it goes to the IT, it goes to
25 some sub-department.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. WEINSTEIN: We'll send it to the CEO.

2 MR. INTRILIGATOR: Okay. My last question is sort
3 of a esoteric issue but when for instance the warranty claim have
4 been submitted, do you expect or hope that they will include or
5 identify warranty claims resulting from an already existing recall
6 for instance, so if there's a recall at the end of one quarter,
7 let's say, you're going to get a lot more in regard to parts. In
8 a way, it's telling us not to submit and if that happens, you
9 might not know that the recall is effective. But if they do
10 submit it, it might mask any problems.

11 MR. WEINSTEIN: If it's a warranty claim, it should
12 come in and presumably our folks, I mean in conjunction perhaps
13 with the manufacturer can identify or point out reasons why a
14 particular bump might have occurred.

15 MR. INTRILIGATOR: So there's no formal mechanism?

16 MR. WEINSTEIN: If it comes in the definition of a
17 warranty claim, it comes in. Now, we do define, Jon correct me if
18 I'm wrong. If somebody comes and actually gets a recall remedy
19 and a manufacturer chooses for its own financial reasons to
20 process that through the warranty system, we don't want those as a
21 warranty claim, right?

22 It's the manufacturer's obligation to weed those
23 out, even though for its own purposes it might like to treat them
24 the same, but we don't want them the same and they've got to take
25 them out.

1 MR. INTRILIGATOR: Thanks.

2 MR. PEARY: Jim Peary, Mitsubishi Fuso trucks. A
3 couple clarifications about the submitting data at the end of the
4 quarter or after the quarter. Will we get a confirmation one way
5 or the other that it was either rejected for some data problem or
6 accepted? Is there an e-mail confirmation either way?

7 MR. WEINSTEIN: Yes.

8 MR. PEARY: And after we get, assuming we get a
9 confirmation that says it was rejected, is there ☐ we need to
10 turn it around still before the end of the reporting period, or is
11 there a resubmittal period?

12 MR. WEINSTEIN: Well, the answer to your first
13 question is no, it doesn't have to come before the end of the
14 period because we understand that some might be coming in on the
15 30th day. I guess we didn't put that in the rule. We expect
16 manufacturers to use good faith to give us an acceptable complete
17 report as soon as possible, and if we feel that there's not good
18 faith being used, then we can take appropriate action. But if we
19 feel that things are being done in good faith, you know then it
20 will take care of itself.

21 MR. PEARY: But that failure notification would be
22 in what kind of time frame, do we know?

23 MR. ROLLINS: The failure notification will be as
24 soon as we process the data.

25 MR. PEARY: A day or two?

1 MR. ROLLINS: Much shorter than that.

2 MR. PEARY: Oh, okay, thank you.

3 MR. WEINSTEIN: Anything further?

4 MR. DEFRANCISCHI: One more question I didn't get to
5 ask the first time. In the April, 2002 meetings they indicated
6 that this system would live on Volpe equipment in Cambridge and
7 at some point in time, you migrate it down here to equipment in
8 Washington. Is that still the plan or has that changed?

9 MR. BERK: At this point, the Volpe Center has been
10 asked to host the system for the first year of its life. After
11 that, it will be NHTSA and ODI's decisions to whether we should
12 continue hosting it up at Volpe or whether it will be moved. That
13 decision I don't believe has been made yet.

14 MR. DEFRANCISCHI: If the system is, in fact,
15 migrated, we as manufacturers have the opportunity to revalidate
16 the system on the new servers prior to it going into production?

17 MR. BERK: At it's new host site?

18 MR. DEFRANCISCHI: Yes.

19 MR. BERK: Presumably you would want to do that,
20 yes. We'd have to consider that, yes.

21 MR. PEARY: One clarification.

22 MR. WEINSTEIN: Say who you are so the transcript
23 gets it.

24 MR. PEARY: Jim Peary, Mitsubishi Fuso trucks. In a
25 follow-up question to the confirmation that I asked about before,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 if we submit data before the deadline and the data fails your
2 validation, what kind of information do you expect they will give
3 us about why it failed?

4 MR. ROLLINS: Again, we'll be working with you to
5 determine that but our intent is to give you, yes whether it was a
6 syntax problem, what particular worksheet it failed on, the type
7 of failure, and how much we break that down. We're not sure yet
8 but we're going to try to give you as much information as possible
9 to help you correct it.

10 MR. PEARY: And process all the data that you can
11 process. You'll be able to narrow it down to just pieces or not?

12 MR. ROLLINS: No, we're not going ☐ the recovery
13 mechanism in your case for failure is complete resubmittal,
14 resubmission.

15 MR. PEARY: Do you parse the whole data to know how
16 many problems there are?

17 MR. ROLLINS: Right. Yes, as long as we don't run
18 into an error where we're stopped cold during the parsing process
19 or the validation process.

20 MR. PEARY: All right, thank you.

21 MR. WEINSTEIN: Correct me if I'm wrong guys, but I
22 think like on all these data submissions if there's a field that
23 has, let's say no complaints, no consumer complaints about
24 electronics in any given ☐ we want a zero. We don't want a blank
25 and so if the blank shows up, that would be a failure. So that's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 why we want to get zeros and no blank fields.

2 MR. VASUDEVAN: Srini Vasudevan from General Motors.

3 One question in GM, we have multiple sources of field reports
4 which have different systems like access, things like that. For
5 those reports, apart from the paper copies you have with PDF
6 format, but for anything that's like notes or access based, can
7 you submit them directly as an access file or a Lotus based file
8 for a field report?

9 MR. ROLLINS: The problem there is that we can
10 handle them, but the problem is that in order to interpret them,
11 you know if we open ☐ if we did that, then we'd have to support
12 you know hundreds of different types of formats, you know, like
13 you just said, Lotus Notes or Excel supporting, things of that
14 nature and I'm not sure we want to do that.

15 MR. VASUDEVAN: So, what do you want us to do?

16 MR. ROLLINS: Again, we're going to be working with
17 you to try to resolve this. You know, what we can accept, what we
18 can't. I mean it would be nice to know that you know a large
19 percentage of the manufacturers have a certain format, you know,
20 like I said access and maybe we can do something there. But we're
21 not ready to make that decision yet.

22 MR. VASUDEVAN: Thanks.

23 MR. KEPSTEIN: Adam Kepstein. I just got a question
24 that follows up on one of the answers you gave a little earlier
25 regarding the roadside assistance, saying that if the manufacturer

1 owns the company that the information would ☐ they would be a
2 subsidiary of the company.

3 But what if that ☐ if they do receive reports but
4 the information is not really kept in the ordinary course of
5 business where the consumer complaints, you may receive
6 information from these companies, but it's just either minimal
7 specificity or it's just not kept in the ordinary course.

8 MR. WEINSTEIN: Well, that doesn't mean minimal
9 specificity you don't have to give it to us. That's the whole
10 point of minimal specificity. I guess in the ordinary course, I'd
11 have to know more about the facts before I gave you an opinion,
12 but my general off the cuff view would be if the company gets a
13 complaint, then they ought to keep ☐ it's their responsibility to
14 somehow memorialize it and keep in the ordinary course.

15 We don't want to see companies saying well we don't
16 have any complaints because we don't bother writing them down and
17 we don't keep them. That is not an excuse for not submitting a
18 document. So, I don't have an answer for you, but if there's some
19 question, you know give us specifics and we'll try to answer it at
20 a subsequent time.

21 Well thank you all for attending. It's been
22 valuable for us. I hope we've provided some value to you and, as I
23 say, anything else that we talked about here where we've asked for
24 specific written submissions and even other issues that come up
25 where we haven't asked for the companies for individuals want to

1 ask, please submit them in writing and I guess you should submit
2 them to the docket.

3 That would probably make it easier and then we'll
4 get them. That would be the best way to deal with it, even if
5 it's not technically a request for reconsideration. That's how we
6 prefer to get it and then we'll respond in due course. Once
7 again, if anyone has not signed in when they came in, if they came
8 late, the sign in sheet is up here on the table. Please sign in
9 before you leave. Thank you very much.

10 (Whereupon, the above-entitled matter was concluded
11 at 12:04 p.m.)

1

2

3